

IN THE CLAIMS

Kindly cancel claim 2, without prejudice, and amend claims 1, 3, 6, 7 and 8 as shown in the following claim listing:

1- (currently amended) An apparatus comprising an optical head for reading and/or writing data in an optical carrier having a circular shape, comprising tracks wound round the center of the carrier, this apparatus comprising:

- an optical assembly constituting said head for providing a light spot onto the carrier, having a main light path direction defined by the direction of the light emitted by a first laser device and/or by reflecting mirror devices, and an exit pupil~~;~~;and
- a moving part for moving said optical head in a moving direction which is perpendicular to the tracks, the light path direction and the moving direction enclosing an angle of about 45° for achieving adequate light intensity at the level of said exit pupil.

2- (cancel)

3- (currently amended) An apparatus as claimed in claim ~~2~~ 1, wherein the magnitude of said angle is  $45^{\circ} \pm 1$ .

4- (previously presented) An apparatus as claimed in claim 1,

wherein said angle is given by a correct illumination of said exit pupil, considering that a diagonal oval spot is required for a processing of data on said carrier.

5- (previously presented)      An apparatus as claimed in claim 1, suitable for optical carriers of the DVD recordable type, wherein the spot is a diagonal spot having a 45° orientation with regard to the track direction.

6- (currently amended)      An apparatus as claimed in ~~any of the~~ claim 1, wherein a beam shaper is provided in the light path of the laser.

7- (currently amended)      An apparatus as claimed in ~~any of the~~ claim 1, wherein a second laser device is provided.

8- (currently amended)      A method of reading and/or writing an optical data carrier, comprising the step of:

- providing an angle of about 45° between a main light path direction of an optical head and tracks which are fitted in the data carrier, so as to satisfy requirements for reading and/or writing this optical data carrier.

9- (previously presented) An optical head suited for an apparatus as claimed in claim 1.